

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Change of Zone 3401

DATE: April 18, 2003

SCHEDULED PLANNING COMMISSION MEETING:

DATE: April 30, 2003

PROPOSAL: A change of zone from R-6 Residential to B-3 Commercial.

LAND AREA: 42,576 sq. ft., more or less (approximately one half block)

CONCLUSION: This change of zone request to B-3 is generally consistent with the Comprehensive Plan and the proposed amendment to the subarea plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1 - 6, Block 21, Kinney's O Street Addition, located in the SE 1/4 of Section 24-10-6, Lancaster County, Nebraska.

LOCATION: 27th and 'P' Streets

EXISTING ZONING: R-6 Residential

EXISTING LAND USE: Vacant church building and parking lot

SURROUNDING LAND USE AND ZONING:

North:	Single family residential and parking lot for commercial use	R-6 Residential
South:	Retail	B-3 Commercial
East:	Single family residential	R-6 Residential
West:	Single family residential	B-3 Commercial

ASSOCIATED APPLICATIONS: Comprehensive Plan Conformity #03002

HISTORY:

Current An architectural and historic preservation review for the church building has been conducted. See attached survey form.

Oct 2002 *North 27th Street Corridor and Environs Redevelopment Plan* adopted.

- May 2001 City of Lincoln purchased two residential structures located on Lot 1 of Kinney's O Street Addition. These acquisitions were identified redevelopment activities in the *North 27th Street Redevelopment Plan*. These structures were demolished in March, 2003.
- Mar 1998 *North 27th Street Redevelopment Plan* adopted.
- Jun 1997 *The North 27th Street Corridor Plan* was incorporated as an approved subarea plan of the Comprehensive Plan.
- May 1979 The zoning update changed this area from D Multiple Family Dwelling to R-6 Residential.

COMPREHENSIVE PLAN SPECIFICATIONS:

This property is designated as Urban residential in the Land Use Plan. (F 25)

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods. (F 17)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. (F 18)

Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all elements of the Comprehensive Plan. (F 22)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use is often gradual. The Comprehensive Plan also encourages the integration of compatible land uses, rather than a strict segregation of different land uses. (F 27)

Buildings and land uses at the edge of the [commerce] center should be compatible with adjacent residential uses. Examples of compatible land uses include offices or child care centers. Buildings should be compatible in terms of height, building materials and setback. Small compatible commercial buildings at the edge could include retail or service uses. Buildings with more intrusive uses should have greater setbacks, screening requirements and be built of more compatible materials. (F 42)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. (F 49)

Maintain and encourage retail establishments and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with, but not intrusive upon residential neighborhoods. (F 49)

Encourage a mix of compatible land uses in neighborhoods, but similar uses on the same block face. Similar housing types face each other: single family faces single family, change to different use at rear of lot. (F 69)

Expansion in existing [commercial] centers should not encroach, or expand to encroach, on existing neighborhoods, and commercial areas must be screened from residential areas. (F 69)

Subarea Planning – The Comprehensive Plan provides broad guidance for achieving the community's stated Vision. Putting details to the Plan takes additional effort. One means of doing this is through the preparation of subarea plans. Subarea plans offer greater details about the intended future of an area of the community — including land uses, infrastructure requirements, and development policies and standards. Many of these subarea plans are prepared by the City-County Planning Department, while some are prepared by other agencies and departments. Subarea plans from the previous (1994) Comprehensive Plan carried over as part of this Comprehensive Plan include:

- North 27th Street Corridor Plan, RDG Crose Gardner Shukert, April 1997. (F 156)

THE NORTH 27th STREET CORRIDOR PLAN SPECIFICATIONS:

The 27th Street Concept Plan proposes a mixed use framework, using the street as an environment for both business and living. (page 36)

Areas that require redevelopment are proposed for redevelopment in ways designed to strengthen existing commercial and residential investment. (page 36)

A principle of the concept plan is the separation, to the degree possible, of local and through traffic movements. (page 37)

The concept plan is based on the establishment of defensible edges between residential and non-residential uses. The concept of defensible edges, using streets or greenways to provide boundaries, realizes the benefits of mixed use while screening the negative effects of commercial growth on residential environments. (page 37)

Requiring new projects to provide direct connection from front door of business to 27th Street sidewalks. Design which requires pedestrian to cross parking lots in order to get businesses should be discouraged. (page 38)

Whenever possible, encourage project designs which place commercial buildings rather than parking lots along the street. Setbacks should be adequate to provide for separation from traffic and adequate landscaping; however, the pedestrian should be engaged with the building, rather than parking lots. Parking should generally be developed to the side or rear of commercial buildings. (page 38)

UTILITIES: This area is within the Future Service Limit of the Comprehensive Plan. All utilities are available or planned for this area.

TRAFFIC ANALYSIS:

Both North 27th and "P" Streets are classified as Minor Arterials adjacent to this site, now and in the future. (E 49, F 103). The Comprehensive Plan defines this classification as one that "interconnects with, and augments principal arterials, distributes traffic to smaller areas, and contains streets that place some emphasis, on land access. These are characterized by moderate to heavy traffic volumes." (F 103).

AESTHETIC CONSIDERATIONS:

Pursuant to *The North 27th Street Corridor Plan* specifications presented above, development in this area should present a pedestrian friendly character.

ANALYSIS:

1. The Director of Urban Development is seeking a change of zone from R-6 Residential to B-3 Commercial. The purpose of the change of zone is to facilitate redevelopment activities as identified in the proposed amendments to the Redevelopment Plan. The three properties are part of a redevelopment project initiated by the Urban Development Department. The City of Lincoln, Catholic Bishop of Lincoln and B & J Partnership Ltd. are the owners of record of the affected property.
2. The City Council adopted the *Lincoln-Lancaster County 2025 Comprehensive Plan* which incorporated *The North 27th Street Corridor Plan* as a subarea plan on May 28, 2002. Future redevelopment of this area must be consistent with the Comprehensive Plan, as well as, the guidelines identified in *The North 27th Street Corridor Plan*.
3. The existing building on this property is a vacant, early twentieth century church.
4. The proposed change of zone and redevelopment activities have been initiated to allow CenterPointe to redevelop the property with a facility that would house an adult residential treatment program and administration offices. Representatives from CenterPointe indicated they have contacted interested neighborhood, business and community associations. CenterPointe has been the only party to show interest in redevelopment of this site.
5. The change of zone will require CenterPointe to obtain a special permit for a health care facility in order to locate their proposed use at this site. However, if the change of zone is approved, any use allowed in the B-3 Commercial district could be located on this property.
6. The Comprehensive Plan encourages commercial uses that act as a transition from more intense uses to less intense uses. In this case, vehicular movement along 27th and P Streets are intense uses that impact adjacent residential property. Traffic and vehicle stacking at the intersections of 27th and 'O', and 27th and 'P' Streets provide a visual and noise impact to adjacent property. These arterial streets are likely to experience sustained, heavy volumes of traffic in the future. The proposed use of this property, although commercial, would likely have little affect on the current level of overall impact.
7. There are no residential structures currently on this site. This property sits at the boundary between B-3 Commercial and R-6 Residential districts. The intersection of

two arterial streets and the existing pattern of land uses adjacent to this site indicate that a transitional use would be more appropriate than what would be permitted under the existing R-6 Residential district regulations.

8. *The North 27th Street Corridor Plan* is concerned with the aesthetics and character of development within this area. There is also concern that commercial uses fit well within the context of the existing neighborhood, and act as a transition to residential uses.
9. The B-3 Commercial district provides “for local commercial uses in a redeveloping neighborhood generally located in established retail centers of those neighborhoods. The uses permitted generally are those for neighborhood uses, plus limited manufacturing uses that reflect the character of that commercial area.” The B-3 Commercial zoning designation allows types of commercial uses that can be used to provide a transition to residential uses.
10. Upon approval of Comprehensive Plan Conformity #03002, this proposed change of zone would be consistent with the redevelopment activities in *The North 27th Street Corridor and Environs Redevelopment Plan*.

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